

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** \_\_\_\_\_

**v.** : **DATE FILED:** \_\_\_\_\_

<b>JULIUS BUTLER,</b>	<b>: VIOLATIONS: 21 U.S.C. § 846</b>
<b>a/k/a "Jerry Butler,"</b>	<b>(conspiracy to distribute more than</b>
<b>JAMIE RAMIREZ,</b>	<b>: 50 grams of cocaine</b>
<b>a/k/a "Ski,"</b>	<b>base ("crack") and more than</b>
<b>CURTIS WARREN KOEHLER,</b>	<b>: 500 grams of cocaine- 1 count)</b>
<b>a/k/a "Big Shirt,"</b>	<b>: 21 U.S.C. § 841(a)(1)</b>
<b>SCORPIO McPHERSON</b>	<b>: (distribution of cocaine base</b>
<b>GILBERTO HERNANDEZ</b>	<b>("crack") - 6 counts)</b>
<b>FERRAND CLARK</b>	<b>: 21 U.S.C. § 841(a)(1)</b>
<b>HAROLD COHEN</b>	<b>(distribution of cocaine - 1 count)</b>
<b>LUIS GALARZA,</b>	<b>: 21 U.S.C. § 860(a)</b>
<b>a/k/a "Luigi,"</b>	<b>(distribution of cocaine base</b>
<b>JOSUE REYES,</b>	<b>: "crack") within 1,000 feet of a</b>
<b>a/k/a "Fuji,"</b>	<b>(school - 4 counts)</b>
<b>VICTOR DIAZ</b>	<b>: 18 U.S.C. § 2</b>
<b>THOMAS McGOWAN,</b>	<b>(aiding and abetting)</b>
<b>a/k/a "Snook,"</b>	<b>: 21 U.S.C. § 853</b>
<b>LARRY NEAL</b>	<b>(Notice of criminal forfeiture)</b>
<b>TAMARA ROBERTS</b>	<b>: Notice of additional factors</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. From in or about January 1998 through in or about August 2003, in Allentown, in the Eastern District of Pennsylvania, defendants

**JULIUS BUTLER,**  
**a/k/a "Jerry Butler,"**

**JAMIE RAMIREZ,  
a/k/a "Ski,"  
CURTIS WARREN KOEHLER,  
a/k/a "Big Shirt,"  
SCORPIO McPHERSON,  
GILBERTO HERNANDEZ,  
FERRAND CLARK,  
HAROLD COHEN,  
LUIS GALARZA,  
a/k/a "Luigi,"  
JOSUE REYES,  
a/k/a "Fuji,"  
VICTOR DIAZ,  
THOMAS McGOWAN,  
a/k/a "Snook,"  
LARRY NEAL, and  
TAMARA ROBERTS**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute more than 50 grams of a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, and more than 500 grams of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and 841(b)(1)(B).

### **MANNER AND MEANS**

It was a part of the conspiracy that:

1. The defendants were part of a drug organization known as the 2ND Gang (“2ND”). 2ND was a crack cocaine and powder cocaine distribution organization that operated on 2<sup>nd</sup> Street in the City of Allentown, Pennsylvania between 1998 and 2003. 2ND included more than 10 members who purchased and sold more than \$1,000,000 of crack cocaine and powder cocaine.
2. At various times between 1998 and 2003, defendants JULIUS BUTLER, CURTIS WARREN KOEHLER, SCORPIO McPHERSON and GILBERTO HERNANDEZ managed and controlled the operation of 2ND and the distribution of crack cocaine and powder cocaine.
3. Defendant JULIUS BUTLER was an organizer and leader of 2ND and supplied significant quantities of crack cocaine and powder cocaine to other members of 2ND for further distribution. Defendant BUTLER supplied cocaine powder and cooked cocaine powder into crack cocaine from inside the residence located at 106 North 2<sup>nd</sup> Street in Allentown, Pennsylvania, and other locations on 2<sup>nd</sup> Street in Allentown, Pennsylvania.
4. Defendant LARRY NEAL was a “worker” for defendant JULIUS BUTLER and other members of 2ND. Defendant NEAL’s role in the conspiracy included being a driver for defendant BUTLER, performing various errands for defendant BUTLER and other members of 2ND, delivering and storing powder cocaine and crack cocaine for defendant BUTLER, and obtaining crack cocaine from members of 2ND for his personal use.
5. Defendant JAMIE RAMIREZ was a supplier of crack cocaine

and powder cocaine to other members of 2ND. Defendant RAMIREZ obtained his powder cocaine and crack cocaine from defendant JULIUS BUTLER. Defendant RAMIREZ supplied powder cocaine and crack cocaine to defendants LUIS GALARZA, CURTIS WARREN KOEHLER and SCORPIO McPHERSON.

6. Defendants CURTIS WARREN KOEHLER and SCORPIO McPHERSON were organizers and leaders of 2ND drug activities. Both defendants supervised and sold crack cocaine from inside, and on the porch of, the residence located at 108 North 2<sup>nd</sup> Street in Allentown, Pennsylvania on a daily basis with shifts covering a 24 hour period.

7. Defendant CURTIS WARREN KOEHLER collected “rent,” that is, cash, from various individuals who wanted to sell crack cocaine from the porch of the residence at 108 North 2<sup>nd</sup> Street in Allentown, Pennsylvania, a property owned by members of defendant KOEHLER’s family. This “rent” was paid to defendant KOEHLER by other 2ND drug dealers for the purpose of allowing the drug dealers to use the property at 108 N. 2<sup>nd</sup> Street for their drug trafficking activities.

8. Defendants LUIS GALARZA, FERRAND CLARK and HAROLD COHEN were street level dealers of crack cocaine who were supplied by members of 2ND. Defendants GALARZA, CLARK and COHEN sold crack cocaine primarily on 2<sup>nd</sup> Street in Allentown, Pennsylvania. The defendants supplied and sold crack cocaine to street level customers at 2ND locations including 106 North 2<sup>nd</sup> Street, 108 North 2<sup>nd</sup> Street and 110 North 2<sup>nd</sup> Street, in Allentown, Pennsylvania.

9. Defendant TAMARA ROBERTS was a “worker” for 2ND members and was a street level dealer of crack cocaine on 2<sup>nd</sup> Street in Allentown, Pennsylvania. Defendant ROBERTS was supplied with crack cocaine from defendants JULIUS BUTLER, CURTIS WARREN KOEHLER and SCORPIO McPHERSON.

10. Defendants sold a substantial quantity of the 2ND crack cocaine on or near the 1<sup>st</sup> and 15<sup>th</sup> of each month since that was when many of their customers would cash their welfare or other government benefit checks in order to have cash available to buy crack cocaine.

11. In order to protect the 2ND drug operation, drug proceeds and locations, and to prevent the theft by rival drug dealers and gangs, certain members of 2ND, including defendants CURTIS WARREN KOEHLER, SCORPIO McPHERSON, LUIS GALARZA and THOMAS McGOWAN possessed firearms. Their possession of firearms furthered and facilitated the 2ND drug distribution activities.

12. In order to identify members of 2ND, certain members had 2ND body tatoos and wore 2ND jewelry, such as 2ND rings.

### **OVERT ACTS**

In furtherance of the conspiracy, and to accomplish its objects, the following overt acts, among others, were performed by the defendants in Allentown, in the Eastern District of Pennsylvania:

1. In or about January 1998, defendant CURTIS WARREN KOEHLER established a crack cocaine and cocaine powder distribution operation at 108 North 2nd Street in Allentown, Pennsylvania.

2. In or about 1999, defendant JULIUS BUTLER cooked a quantity of

cocaine powder into crack cocaine inside the residence located at 106 N. 2<sup>nd</sup> Street in Allentown, Pennsylvania.

3. In or about the summer 2002, defendant JULIUS BUTLER distributed approximately one ounce of crack cocaine to defendant LARRY NEAL to store the crack cocaine for defendant BUTLER. Defendant NEAL then later distributed it to defendant CURTIS KOEHLER.

4. In or about summer 2002, defendant JULIUS BUTLER distributed approximately 62 grams of crack cocaine to defendant SCORPIO McPHERSON, and then approximately two weeks later, distributed approximately 125 grams of cocaine powder to defendant McPHERSON.

5. On or about November 1, 2002, defendant TAMARA ROBERTS distributed approximately 2.8 grams of crack cocaine to a cooperating individual ("CI") in the vicinity of 2<sup>nd</sup> and Linden Street, Allentown, Pennsylvania, within 1,000 feet of the Harrison-Morton Middle School, a public secondary school located at 127 North 2<sup>nd</sup> Street, Allentown, Pennsylvania.

6. On or about January 13, 2003, defendant VICTOR DIAZ distributed approximately 6.2 grams of crack cocaine to a CI at the American Plaza Shopping Center, located at 2<sup>nd</sup> and Hamilton Street in Allentown, Pennsylvania.

7. On or about April 22, 2003, defendant JOSUE REYES distributed approximately 9.9 grams of crack cocaine to an undercover law enforcement officer at the American Plaza Shopping Center, located at 2<sup>nd</sup> and Hamilton Street in Allentown, Pennsylvania.

8. On or about May 30, 2003, defendant THOMAS McGOWAN distributed approximately 1.2 grams of crack cocaine to a CI at 108 North 2<sup>nd</sup> Street in Allentown, Pennsylvania, within 1,000 feet of the Harrison-Morton Middle School, a public secondary school located at 127 North 2<sup>nd</sup> Street, Allentown, Pennsylvania.

9. On or about August 6, 2003, defendant JAMIE RAMIREZ distributed approximately 58.7 grams of powder cocaine to a CI at 516 North Lumber Street in Allentown, Pennsylvania.

10. On or about August 12, 2003, defendant GILBERTO HERNANDEZ distributed approximately 7.1 grams of crack cocaine to a CI at 108 North 2<sup>nd</sup> Street in Allentown, Pennsylvania, within 1,000 feet of the Harrison-Morton Middle School, a public secondary school located at 127 North 2<sup>nd</sup> Street, Allentown, Pennsylvania.

11. On or about August 19, 2003, defendant GILBERTO HERNANDEZ distributed approximately 13.6 grams of crack cocaine to a CI in the vicinity of 8<sup>th</sup> and Wyoming Streets in Allentown, Pennsylvania, within 1,000 feet of the Jefferson Elementary School, a public elementary school located at 750 St. John's Street, Allentown, Pennsylvania.

12. Between in or about November 2002 and on or about July 18, 2003, defendant VICTOR DIAZ possessed with intent to distribute various amounts of crack cocaine which he purchased at 108 North 2<sup>nd</sup> Street in Allentown, Pennsylvania from defendants CURTIS WARREN KOEHLER, SCORPIO McPHERSON and GILBERTO HERNANDEZ.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about November 1, 2002, in Allentown, in the Eastern District of  
Pennsylvania, defendant

**TAMARA ROBERTS**

knowingly and intentionally distributed approximately 2.8 grams of a mixture or substance  
containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).



**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about November 1, 2002, in Allentown, in the Eastern District of Pennsylvania, defendant

**TAMARA ROBERTS**

knowingly and intentionally distributed approximately 2.8 grams of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Harrison-Morton Middle School, a public secondary school located at 127 North 2nd Street, Allentown, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 860(a).

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 13, 2003, in Allentown, in the Eastern District of  
Pennsylvania, defendants

**FERRAND CLARK and  
VICTOR DIAZ**

knowingly and intentionally distributed, and aided and abetted the distribution of, in excess of 5  
grams, that is, approximately 6.2 grams, of a mixture or substance containing a detectable  
amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B),  
and Title 18, United States Code, Section 2.

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about April 22, 2003, in Allentown, in the Eastern District of Pennsylvania,  
defendant

**JOSUE REYES,  
a/k/a “Fuji,”**

knowingly and intentionally distributed in excess of 5 grams, that is, approximately 9.9 grams, of  
a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II  
controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 30, 2003, in Allentown, in the Eastern District of Pennsylvania,  
defendant

**THOMAS McGOWAN,  
a/k/a “Snook,”**

knowingly and intentionally distributed approximately 1.2 grams of a mixture or substance  
containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 30, 2003, in Allentown, in the Eastern District of Pennsylvania,  
defendant

**THOMAS McGOWAN,  
a/k/a “Snook,”**

knowingly and intentionally distributed approximately 1.2 grams of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Harrison-Morton Middle School, a public secondary school located at 127 North 2nd Street, Allentown, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 860(a).

**COUNT EIGHT**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 6, 2003, in Allentown, in the Eastern District of  
Pennsylvania, defendant

**JAMIE RAMIREZ,  
a/k/a “Ski,”**

knowingly and intentionally distributed approximately 58.7 grams of a mixture or substance  
containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT NINE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 12, 2003, in Allentown, in the Eastern District of Pennsylvania, defendant

**GILBERTO HERNANDEZ**

knowingly and intentionally distributed in excess of 5 grams, that is, approximately 7.1 grams, of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

**COUNT TEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 12, 2003, in Allentown, in the Eastern District of Pennsylvania, defendant

**GILBERTO HERNANDEZ**

knowingly and intentionally distributed in excess of 5 grams, that is, approximately 7.1 grams, of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Harrison-Morton Middle School, a public secondary school located at 127 North 2nd Street, Allentown, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 860(a).



**COUNT ELEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 19, 2003, in Allentown, in the Eastern District of Pennsylvania, defendant

**GILBERTO HERNANDEZ**

knowingly and intentionally distributed in excess of 5 grams, that is, approximately 13.6 grams, of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

**COUNT TWELVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 19, 2003, in Allentown, in the Eastern District of Pennsylvania, defendant

**GILBERTO HERNANDEZ**

knowingly and intentionally distributed in excess of 5 grams, that is, approximately 13.6 grams, of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Jefferson Elementary School, a public elementary school located at 750 St. John’s Street, Allentown, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 860(a).

## NOTICE OF FORFEITURE

### THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 21, United States Code, Sections 846 and 841(a)(1) as set forth in this indictment, defendants

**JULIUS BUTLER,  
a/k/a “Jerry Butler,”  
JAMIE RAMIREZ,  
a/k/a “Ski,”  
CURTIS WARREN KOEHLER,  
a/k/a “Big Shirt,”  
SCORPIO McPHERSON,  
GILBERT HERNANDEZ,  
FERRAND CLARK,  
HAROLD COHEN,  
LUIS GALARZA,  
a/k/a “Luigi,”  
JOSUE REYES,  
a/k/a “Fuji,”  
VICTOR DIAZ,  
THOMAS McGOWAN,  
a/k/a “Snook,”  
LARRY NEAL and  
TAMARA ROBERTS**

shall forfeit to the United States of America, the following property:

1. All property derived from any proceeds which defendants obtained directly or indirectly, as a result of the violations of Title 21 as charged in this indictment.
2. All property owned by the defendants which was used or intended to be used in any manner or part to commit or facilitate the commission of the violations of Title 21 as charged in the indictment.

3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:
- (A) cannot be located upon the exercise of due diligence;
  - (B) has been transferred or sold to, or deposited with, a third party;
  - (C) has been placed beyond the jurisdiction of the court;
  - (D) has been substantially diminished in value; or
  - (E) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of said defendants.

Pursuant to Title 21, United States Code, Section 853.

**NOTICE OF ADDITIONAL FACTORS**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. In committing the offense charged in Count One of this indictment:

a. defendants **JULIUS BUTLER, a/k/a “Jerry Butler,” JAMIE RAMIREZ a/k/a “Ski,” CURTIS WARREN KOEHLER, a/k/a “Big Shirt,” SCORPIO McPHERSON, and GILBERT HERNANDEZ** committed an offense and relevant conduct involving at least 500 grams, but less than 1.5 kilograms, of cocaine base (“crack”), as described in U.S.S.G.

§ 2D1.1(a)(2);

b. defendants **JULIUS BUTLER, a/k/a “Jerry Butler,” CURTIS KOEHLER, a/k/a “Big Shirt,” and SCORPIO McPHERSON,** were organizers and leaders of criminal activity that involved five or more participants, and was otherwise extensive, as described in U.S.S.G.

§ 3B1.1; and

c. defendant **GILBERTO HERNANDEZ** was a manager and supervisor of criminal activity that involved five or more participants, and was otherwise extensive, as described in U.S.S.G. § 3B1.1.

**A TRUE BILL:**

\_\_\_\_\_  
**FOREPERSON**

\_\_\_\_\_  
**PATRICK L. MEEHAN**  
United States Attorney